

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
451 South State Street, Room 326
September 4, 2014**

A roll is being kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at [5:33:32 PM](#). Audio recordings of the Historic Landmark Commission meetings are retained in the Planning Office for an indefinite period of time.

Present for the Historic Landmark Commission meeting were: Commissioners Thomas Brennan, Robert McClintic, Rachel Quist, David Richardson, and Charles Shepherd. Chairperson Sheleigh Harding and Heather Thuet were excused.

Planning Staff members present at the meeting were: Cheri Coffey, Assistant Planning Director; Michaela Oktay, Planning Manager; Joel Paterson, Planning Program Coordinator; Carl Leith, Senior Planner; Janice Lew, Senior Planner; Lex Traughber, Senior Planner; Michael Maloy, Principal Planner; Maryann Pickering, Principal Planner; Michelle Moeller, Senior Secretary and Katie Lewis, Senior City Attorney.

FIELD TRIP NOTES:

A field trip was held prior to the work session. Historic Landmark Commissioners present were: Robert McClintic, Thomas Brennan and Rachel Quist. Staff members in attendance were Michaela Oktay, Joel Paterson, Lex Traughber, Maryann Pickering, and Carl Leith.

- The Commission and Staff drove through the Yalecrest neighborhood and Staff gave an overview of the proposed Local Historic Districts.

APPROVAL OF THE AUGUST 7, 2014 MINUTES [5:34:02 PM](#)

MOTION [5:34:16 PM](#)

Commissioner McClintic moved to approve the minutes from August 7, 2014. Commissioner Richardson seconded the motion. The motion passed unanimously.

REPORT OF THE CHAIR OR VICE CHAIR [5:34:38 PM](#)

Acting Chairperson Brennan stated he had nothing to report.

DIRECTOR'S REPORT [5:34:52 PM](#)

Ms. Cheri Coffey, Assistant Planning Director, stated Planning Director Wilford Sommerkorn resigned and will be taking a position with Salt Lake County.

PUBLIC COMMENT [5:35:26 PM](#)

Ms. Cindy Cromer reviewed the case for the triangular lot located at 757 North Wall Avenue. She asked who would decide the scope of relief on a variance request scheduled to be heard by the Appeals Hearing Officer could grant relief but not to the extent of the Historic Landmark Commission. Ms. Cromer stated the Appeals Hearing Officer could consider the scope of the relief based on the context of the surrounding development, but the design of the house and the evaluation of context were the Commission's purview.

Ms. Coffey stated Staff had responded to Ms. Cromer's concerns via email. Ms. Coffey stated the code allowed for the Applicant to choose which process to go through and they had chosen to request a variance. She stated the Appeals Hearing Officer's decision would determine the setbacks for the proposal however; the Commission was the final decision maker on the building design.

The Commission asked if the Appeals Hearing Officer would receive the history of the proposal.

Ms. Coffey stated Staff could include the information in the variance Staff Report.

PUBLIC HEARINGS [5:39:47 PM](#)

Ms. Michaela Oktay reviewed the five Local Historic District applications on the agenda. She reviewed what was being considered and the process of approval. Ms. Oktay stated Staff was recommending the Historic Landmark Commission forward a favorable recommendation to the City Council regarding the petitions.

[5:43:44 PM](#)

Yalecrest - Upper Yale Local Historic District - A request by Sonja Chesley (property owner) to create a new local historic district for the Upper Yale Addition through the zoning map amendment process. The twenty eight (28) properties are located on the north and south sides of Yale Avenue (approximately 1080 South) between 1700 and 1800 East. All of the properties are zoned R-1/5,000 (Single-family Residential District) and are located in Council District 6 represented by Charlie Luke. (Staff Contact: Maryann Pickering at (801) 535-7660 or maryann.pickering@slcgov.com). Case number PLNHLC2014-00013

Ms. Maryann Pickering, Principal Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). She stated Staff was recommending that the Historic Landmark Commission forward a favorable recommendation to the City Council regarding the petition.

Ms. Sonja Chesley, applicant, stated to apply for the district only four signatures were

required and they received eight. She stated she agreed with Staff's recommendation for approval.

Acting Chairperson Brennan stated the petition relating to the proposed City Creek Canyon local historic district will be moved to number eight on the agenda.

PUBLIC HEARING [5:47:45 PM](#)

Acting Chairperson Brennan opened the Public Hearing, seeing no one in the audience wished to speak for or against the petition; Acting Chairperson Brennan closed the Public Hearing.

The Commission stated the following:

- Discussed how the boundaries were determined for the proposed district.
- The number of contributing structures.
- How different each of the five areas were even though they are in the same general area.
- The loss of street trees in the area.
- If a condition could be added to encourage planting of trees.
- They discussed if programs existed to help with the cost of planting trees

MOTION [5:51:57 PM](#)

Commissioner McClintic stated regarding PLNHLC2014-00013, based on the findings listed in the Staff Report, testimony and information presented, he moved to forward a positive recommendation to the City Council to designate a new local historic district for the Yalecrest-Upper Yale subdivision. Commissioner Shepherd seconded the motion. The motion passed unanimously.

[5:52:34 PM](#)

Yalecrest- Upper Harvard & Yale Park Plat A Local Historic District - A request by Vena Childs (property owner) to create a new local historic district for the Upper Harvard and Yale Park Plat A subdivision through the zoning map amendment process. The properties are located on Harvard Avenue (approximately 1155 South) between 1500 East and 1700 East. All of the properties are zoned R-1/5,000 (Single-family Residential District) and are located in Council District 6 represented by Charlie Luke (Staff contact: Michael Maloy at (801) 535-7118 or michael.maloy@slcgov.com.) Case number PLNHLC2014-00111

Mr. Michael Maloy, Principal Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was recommending that the Historic Landmark Commission forward a favorable recommendation to the City Council regarding the petition.

Ms. Vena Jensen Childs, applicant, stated she was happy and honored to be the applicant for the petition. She stated in 2015, eleven of the homes on the street would be one hundred years old. Ms. Childs gave a history of the properties, the development of the area and stated it was important to protect the area from further demolition and loss.

PUBLIC HEARING [5:59:25 PM](#)

Acting Chairperson Brennan opened the Public Hearing.

Mr. Dixon Hindley stated he was against the petition as it failed to analyze property rights versus historical value and a study should be done to compare the two. He stated the petition did not meet the minimum signature requirements and block face requirements for initiation. Mr. Hindley asked the Commission to table or deny the petition for further discussion.

Ms. Coffey stated the City Council would address the issue of property rights versus preservation values. She stated preservation was an adopted policy of the city, there were criteria for the designation of historic districts and economics were not one of the criteria. Ms. Coffey stated the Historic Landmark Commission generally reviewed the integrity of the historic structures. She reviewed the ballot process that allowed for the City Council to weigh the value of property rights. Ms. Coffey reviewed the three ways to initiate a petition and that the subject petition met the standards. She reviewed the criteria for the size of a district and how boundaries were determined.

Mr. Maloy stated there was no maximum for the size of a district. He stated throughout the report the district was referred to as a two block pattern. Mr. Maloy stated there were sixteen of the sixty properties that signed the petition therefore it met the minimum standard for property owner signatures to initiate the petition.

Mr. Hindley stated the city ordinance required more than fifty percent of the record owners of each parcel be obtained to reach the minimum fifteen percent of the parcels on the block to sign the petition. He stated the twenty seven signatures did not constitute more than fifty percent of the property owners of each parcel. Mr. Hindley stated the definition of a block face did not include a two block area.

The Commission asked that Mr. Dixon speak with Staff to clarify and answer his questions.

Ms. Hindley asked if the petition would continue or be tabled.

Acting Chairperson Brennan stated the petition met the standards of approval for the Historic Landmark Commission.

Acting Chairperson Brennan closed the Public Hearing.

The Commission stated they were being asked to forward the petition to the City Council and not give a final decision therefore; there would be more time for issues to be addressed and resolved. They stated the petition met the standards for review under the Historic Landmark Commissions purview.

The Commission discussed the tree canopy in the neighborhood. They stated that it was not the Commission's purview to determine if a house in the area would add to or take away from the value of the surrounding homes, it was clear that the whole neighborhood was in jeopardy and should be protected with the proposed historic district.

MOTION [6:11:19 PM](#)

Commissioner Shepherd stated regarding PLNHLC2014-00111, based on the findings listed in the Staff Report, testimony and information presented, he moved to forward a recommendation to the City Council to designate a new local historic district for the Yalecrest-Upper Harvard and Yale Park Plat A subdivisions. Commissioner Richardson seconded the motion. The motion passed unanimously.

Ms. Coffey stated there are several opportunities to speak to these petitions the next one being the Planning Commission meeting on September 24, 2014.

Acting Chairperson Brennan reviewed the appeals process and stated an appeal could be submitted after the City Council made its final decision.

[6:13:11 PM](#)

Yalecrest - Normandie Circle Local Historic District - A request by Patricia Callahan (property owner) to create a new local historic district for Normandie Circle through the zoning map amendment process. The ten (10) properties are located on Normandie Circle (approximately 1335 E 1155 South). All properties are zoned R-1/7,000 (Single-family Residential District) and are located in Council District 6 represented by Charlie Luke. (Staff Contact: Lex Traughber at (801) 535-6184 or lex.traughber@slcgov.com.) Case number PLNHLC2014-00247

Mr. Lex Traughber, Senior Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was recommending that the Historic Landmark Commission forward a favorable recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- The buildings that would be included in the district.
 - 10 properties (outlined on the map in the Staff Report).
- The boundaries for the proposed district.
- Construction dates of the homes.
- The contributing and non-contributing status of the buildings.
- How contributing and non-contributing status could be changed.

Ms. Patricia Callahan, applicant, gave the history of the properties on Normandie Circle. She stated the neighborhood supported the petition and designation.

PUBLIC HEARING [6:21:32 PM](#)

Acting Chairperson Brennan opened the Public Hearing, seeing no one in the audience wished to speak for or against the petition; Acting Chairperson Brennan closed the Public Hearing

The Commission stated the proposed district was intact. They discussed the boundaries and if the Harvard properties should or should not be included in the district.

The Commission and Staff discussed if they could recommend extending the district, how the process and criteria for designation addressed boundaries.

MOTION [6:27:26 PM](#)

Commissioner Richardson stated regarding PLNHLC2014-00247, based on the findings listed in the Staff Report, testimony and information presented, he moved to forward a positive recommendation to the City Council to designate a new local historic district for Normandie Circle as proposed. Commissioner McClintic seconded the motion. The motion passed unanimously.

Yalecrest - Upper Yale 2nd Addition (Herbert Avenue between 1700 and 1800 E) Local Historic District - A request by Tracey Harty (property owner) to create a new local historic district for Herbert Avenue through the zoning map amendment process. The thirty (30) properties are located (approximately 1055 South) between 1700 and 1800 East. All properties are zoned R-1/5,000 (Single-family Residential District) and are located in Council District 6 represented by Charlie Luke. (Staff Contact: Lex Traugher at (801) 535-6184 or lex.traugher@slcgov.com.) Case number PLNHLC2013-00862

Mr. Lex Traugher, Senior Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was recommending that the Historic

Landmark Commission forward a favorable recommendation to the City Council regarding the petition.

Ms. Tracey Harty, applicant, stated the neighborhood was intact and they would like to protect it.

PUBLIC HEARING [6:32:26 PM](#)

Acting Chairperson Brennan opened the Public Hearing.

The following individuals spoke to the petition: Mr. Warren Lloyd and Mr. Charles Williams
The following comments were made:

- Concern that the full option of tools available to preserve neighborhoods and character are not being explained which was failing to educate the public about historic preservation.
- Should promote Character Conservation Districts.
- The historic nature of the neighborhood is intact.
- There are some concerns over property rights and the limits that will be put on remodeling or expanding the homes.
- Concerned over the vote being over ridden.

The Commission stated they had discussed Character Conservation Districts and that it was an additional option.

Acting Chairperson closed the Public Hearing.

The Commission stated it is important to educate the public about the processes. They encouraged Staff to get the information out to the public on the proper way to initiate petitions for Character Conservation Districts and Local Historic Districts. The Commission stated the Historic Landmark Commission takes very seriously the issues of historic preservation and the integrity of not only the individual homes but the neighborhood and recognizes the living patterns. They explained there are accommodations that allow for appropriate remodeling and maintenance in historic districts.

MOTION [6:41:11 PM](#)

Commissioner McClintic stated regarding PLNHLC2013-00862, based on the findings listed in the Staff Report, testimony and information presented, he moved to forward a positive recommendation to the City Council to designate a new local historic district for the Yalecrest-Upper Yale 2nd Addition Subdivision (Herbert Avenue between 1700 E to 1800 E) as proposed. Commissioner Quist seconded the motion. The motion passed unanimously.

[6:41:59 PM](#)

Yalecrest – Princeton Park (Princeton Avenue between 1700 & 1800 E) Local Historic District - A request by Jon Dewey (property owner) to create a new local historic district for Princeton Avenue through the zoning map amendment process. The twenty seven (27) properties are located (approximately 1155 South) between 1700 & 1800 East. All properties are zoned R-1/5,000 (Single-family Residential District) and are located in Council District 6 represented by Charlie Luke. (Staff Contact: Carl Leith at (801) 535-7758 or carl.leith@slcgov.com.) Case number PLNHLC2013-00861

Mr. Carl Leith, Senior Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was recommending that the Historic Landmark Commission forward a favorable recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- Who the owners of the property were during the development of the area.

Mr. Jon Dewey, applicant, reviewed the history of the property and the Profits through Preservation Study. He reviewed the addition to his house and the standards he was held to stating without those standards he would not have the stellar addition to his home that exists today. Mr. Dewey stated there are ways to add to historic homes that are in a historic district. He reviewed why a Character Conservation District would not work for the subject block and that a Character Conservation District may not prevent tear downs which was a great benefit of the local Historic District designation.

PUBLIC HEARING [6:49:13 PM](#)

Acting Chairperson Brennan opened the Public Hearing, seeing no one in the audience wished to speak for or against the petition; Acting Chairperson Brennan closed the Public Hearing

The Commission stated this was a great block with many great examples of historic architecture.

MOTION [6:50:55 PM](#)

Commissioner Quist stated regarding PLNHLC2013-00861, based on the findings listed in the Staff Report, testimony and information presented, she moved to forward a positive recommendation to the City Council to designate a new local historic district for the Yalecrest-Princeton Park subdivision. Commissioner Shepherd seconded the motion. The motion passed unanimously.

[6:51:43 PM](#)

City Creek/Memory Grove Local Historic District - A request by Mayor Ralph Becker to create a new local historic district for City Creek Canyon including Memory Grove through the zoning map amendment process. The subject property is generally located along Bonneville Blvd and Canyon Rd in City Creek Canyon. The property is zoned OS (Open Space) and is located in Council District 3 represented by Stan Penfold. (Staff Contact: Lex Traughber at (801) 535-6184 or lex.traughber@slcgov.com.) Case number PLNHLC2010-00224

Mr. Lex Traughber, Senior Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was recommending that the Historic Landmark Commission forward a favorable recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- If the boundaries for the local district were the same for the national district.
 - Staff outlined the boundaries for both districts.
- The buildings, features and structures included in the proposal.

PUBLIC HEARING [6:59:18 PM](#)

Acting Chairperson Brennan opened the Public Hearing.

The following individual spoke to the petition: Ms. Cindy Cromer.

The following comments were made:

- People have treated this as a historic district for a long time and it was great to finally have it properly designated.
- This particular open space shows the challenges and reasons for creating guidelines for historic landscaping.
- Support for the proposal.

Acting Chairperson Brennan closed the Public Hearing.

MOTION [7:01:29 PM](#)

Commissioner Richardson stated regarding PLNHLC2010-00224, based on the findings listed in the Staff Report, testimony and information presented, he moved to forward a positive recommendation to the City Council to designate a local historic district for the lower portion of City Creek Canyon, including Memory Grove, as proposed. Commissioner McClintic seconded the motion. The motion passed unanimously.

BREIFING [7:02:20 PM](#)

Ground Mounted Utility Boxes Text Amendments – Staff will update the Historic Landmark Commission about a text amendment requested by Mayor Becker to amend the City Code relating to ground mounted utility boxes. The amendment incentivizes the installation of less visible boxes and establishes a more predictable and consistent review process. (Staff Contact: Janice Lew at (801) 535-7625 or janice.lew@slcgov.com.) Case number PLNPCM2014-00193

Ms. Janice Lew, Senior Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). She asked the Commission for input and comments.

The Commission and Staff discussed the following:

- What utilities were being addressed in the proposal.
 - Private providers as essential utilities are exempt such as traffic and water.
- The approval process for utility boxes.
- If there are maximum sizes for the boxes and could they be minimized.
- If the boxes are certain size they should be required to go underground.
 - Issues with water table and cost for underground boxes.
- Dictate the color of the boxes such as a dark green.
- Did encouraging these boxes to be placed on private property mean they are being moved out of the park strip to the other side of the sidewalk.
 - Planning would prefer them to be in the rear or side yard.
- Staff will continue to look at more mitigating factors to help address the boxes.
- Have the company installing the boxes pay rent for the use of the public property.
- Give incentives if the boxes are installed below ground.
- Require master plans from the service providers to address how utilities are addressed in Historic Districts.
- If there was an annual review or something that required companies to show which boxes are in use.
 - There is not a review but there is language that will require removal of unused boxes.

Ms. Alene Bentley, Rocky Mountain Power, reviewed the equipment they use for power services. She explained the underground costs and the different sizes of the boxes.

The Commission and Ms. Bentley discussed development in historic districts and the location of utility boxes for these areas. They discussed requiring the utilities to be reviewed as part of the development process.

The Commission and Staff discussed if there was flexibility in the setbacks for the utilities and if the pad the boxes are placed on is a standard pad or could the pad be smaller. They discussed allowing maintainable landscape areas around the boxes and making it part of the development process.

Ms. Bentley stated the utility provider was bound by national safety codes that dictate the distance around the boxes, the pad the box sits on and where the boxes could be located.

Staff asked the Commission to send additional suggestions and comments.

UNFINISHED BUSINESS [7:46:34 PM](#)

Yalecrest Reconnaissance Level Survey - Review and finalize a determination by the Commission to update the 2005 Yalecrest Reconnaissance Level Survey relating to properties located on Harvard Avenue between 1700 East and 1800 East. This area is proposed as the Yalecrest-Harvard Park local historic district. The Commission reviewed the ratings and held a public hearing at its June 5, 2014, public meeting.

Mr. Joel Paterson, Planning Programs Coordinator, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was recommending that the Historic Landmark Commission approve the updates to the 2005 Yalecrest Reconnaissance Level Survey relating to properties located on Harvard Avenue between 1700 East and 1800 East.

The Commission and Staff discussed the following:

- Would removability of an element be a consideration for determining if a structure remained contributing or non-contributing.
 - Yes if an element could be removed and the original structure remained intact the structure would most likely remain contributing.
- The roofing elements in historic districts and if they are factors that change contributing status.
 - Roofing is easily fixed and does not take a structure from contributing to non-contributing
- When different architectural elements were added to properties in the district and why those elements changed the contributing status.

MOTION [8:04:15 PM](#)

Commissioner Richardson stated regarding the 2005 Yalecrest Reconnaissance Level Survey relating to properties located on Harvard Avenue between 1700 East and 1800 East, based on the findings listed in the Staff Report, testimony and information presented, he moved that the Historic Landmark Commission accept the changes and

approve the survey. Commissioner McClintic seconded the motion. The motion passed unanimously.

Mr. Paterson updated the Commission on the status of the Harvard Avenue Local Historic District and stated the final ballot vote would be available September 5, 2014.

The Commission and Staff discussed how the ballots worked and the importance of the ballot vote.

OTHER BUSINESS [8:06:50 PM](#)

MOTION [8:08:10 PM](#)

Commissioner Richardson nominated Commissioner Thomas Brennan for the position of Chair. Commissioners Shepherd seconded the nomination. The motion passed unanimously.

Commissioner Thomas Brennan was elected as Chairperson.

MOTION [8:11:07 PM](#)

Commissioner Richardson nominated Commissioner Sheleigh Harding for Vice Chair. Commission McClintic seconded the nomination. The motion passed unanimously.

Commissioner Sheleigh Harding was elected as Vice Chair.

The meeting adjourned at [8:11:28 PM](#)